

EXTENSIONS OF REMARKS

FEDERAL WETLANDS JURISDICTION ACT OF 2004

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 2004

Mr. BAKER. Mr. Speaker, today I am introducing the Federal Wetlands Jurisdiction Act of 2004. Joining me in cosponsoring this important legislation are the Chairman of the House Transportation and Infrastructure Committee DON YOUNG, Chairman of the House Transportation and Infrastructure Subcommittee on Water Resources and the Environment JOHN DUNCAN, former Energy and Commerce Committee Chairman BILLY TAUZIN, Western States Caucus Chairman CHRIS CANNON, and fellow conservationist Congressmen MARION BERRY, ROB BISHOP, BUTCH OTTER, JOHN DOOLITTLE, RANDY FORBES, and DOUG OSE.

The legislation my colleagues and I are introducing today does two things. First, the legislation clearly defines the areas over which the Federal government has jurisdiction as "wetlands" or "waters of the United States" under Section 404 of the Clean Water Act of 1977. Second, the legislation concentrates the implementation of the Section 404 "wetlands" permitting program in one Federal agency: the U.S. Army Corps of Engineers. The legislation does not affect any part of the Clean Water Act other than Section 404.

On January 9, 2001, the Supreme Court in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* held that the Clean Water Act does not provide the Federal government jurisdiction over areas known as "isolated wetlands." The Supreme Court case dealt with an area that was found to be jurisdictional to the Section 404 program under an Environmental Protection Agency and U.S. Army Corps of Engineers interpretation of the Act known as the "migratory bird rule." The "migratory bird rule" made jurisdictional to the Section 404 program any wetland that migratory birds could inhabit. The Supreme Court found that this interpretation was beyond the bounds of the Act. However, the Supreme Court was not specific concerning the exact areas that are "isolated wetlands."

The uncertainty about the jurisdiction of the Section 404 program that resulted from the SWANCC decision has not been resolved by interpretive rulings by the Environmental Protection Agency and the U.S. Army Corps of Engineers. Applications of SWANCC by the Corps and the EPA in determinations of Section 404 jurisdiction have resulted in a range of judicial decisions that are not consistent across the Nation. The resulting uncertainty is causing difficulty for my constituents and I am sure for the constituents of many Members of this House.

In fact, it is not impractical to say that there are literally hundreds of agency interpretations of SWANCC's impact because the Corps and EPA have essentially allowed individual per-

sonnel to make their own judgments on a case-by-case basis. Could you imagine the speed limit being set by individual police officers on a case-by-case basis?

I believe that Congress must end this uncertainty by stating as clearly as possible the areas that we intend to be jurisdictional to the Section 404 program of the Clean Water Act. While the SWANCC decision involved a Section 404 matter, the judicial decision can be interpreted to apply to the entire Clean Water Act. The legislation my colleagues and I are introducing today, however, only applies to Section 404 of the Clean Water Act. Indeed, there may be sound policy reasons to have different jurisdictional limits for other sections of the Act.

The legislation that I am introducing today provides Federal Section 404 jurisdiction over the territorial seas, traditionally navigable waters, tributaries that flow into traditionally navigable waters and the wetlands adjacent to these waters. Excluded from jurisdiction are man made connectors, such as ditches and underground culverts, and the wetlands connected thereto. The legislation also makes clear that the Section 404 program does not apply to so-called "ephemeral streams" or underground water. Finally, the legislation provides a mechanism by which landowners expeditiously can obtain a determination of whether wetlands areas on their property are within the jurisdiction of the Section 404 program.

Mr. Speaker, this legislation will exclude from areas of Federal jurisdiction areas that Congress clearly never intended to be jurisdictional to the federal government. For example, on March 30, 2004, one of my constituents testified about this problem at an oversight hearing of the Water Resources and Environment Subcommittee of the Transportation and Infrastructure Committee. On his land were some puddles of water, which is very typical of our part of the country. A tractor had driven through one of the puddles on a rainy day and down to and through a small drainage ditch on the property. Because the tractor left a rut that filled up with water from the puddle down to the stream, Corps field officials asserted jurisdiction over the puddles. The only connection between these puddles, which I believe are true "isolated wetlands," and the small drainage ditch was this man-made rut accidentally left behind by the tractor. Surely, Mr. Speaker, my colleagues will agree with me that Congress never intended to assert Federal jurisdiction over such areas of land. This legislation will exclude these areas from Federal jurisdiction.

I believe that the definition of jurisdiction contained in this legislation is consistent with the SWANCC decision, the intent of Congress in enacting Section 404 of the Clean Water Act and the traditional division of jurisdiction between the Federal government and the States and local governments.

This legislation also addresses a problem that has confounded my constituents since the original enactment of the Section 404 program

in the Federal Water Pollution Control Act of 1972. When the Section 404 program was enacted, there was a disagreement between the House and Senate regarding whether the newly created Environmental Protection Agency or the U.S. Army Corps of Engineers should have jurisdiction over the program. The conferees settled this disagreement by giving both agencies jurisdiction over the program. The result for my constituents often has been chaos. The U.S. Army Corps of Engineers implements the Section 404 program, but must also apply rules adopted by the Environmental Protection Agency; the Corps of Engineers makes jurisdictional determinations in the field, but the EPA, under a 1979 Attorney General's Opinion, has final say in this area; and, finally, the EPA can veto a decision by the Corps of Engineers to issue a Section 404 permit. No other Federal regulatory program that I know of is implemented by two Federal agencies. My legislation resolves this inherent conflict by placing responsibility for the implementation of the Section 404 program solely in the hands of the U.S. Army Corps of Engineers, which I believe has incomparable expertise in wetlands management.

Mr. Speaker, the Federal Section 404 wetlands permitting program is a very controversial program. In general, Americans want to see wetlands preserved. However, this general objective hits close to home when the wetlands in question are on privately owned property—as are 75 percent of the Federal jurisdictional wetlands. The Section 404 program can prevent or severely restrict the private use of privately owned property. Unfortunately, many of my constituents face these consequences under the Section 404 program.

Mr. Speaker, the very least we can do for the citizens of this Nation is to define clearly those areas that are subject to the jurisdiction of this regulatory program and to designate one Federal agency to implement the program. The legislation that I am introducing today does just that and no more than that. I believe, also, that our bill is pro-environment because it will diminish the number of individual landowners who unknowingly disturb or destroy wetlands. If a constituent knows ahead of time that a parcel of land is a wetland, they will refrain from buying it or developing it. Isn't precaution an effective medicine? I believe it is, and I believe this bill is the right prescription. I encourage my colleagues to support this legislation and ensure its timely enactment.

ABA CONFERS HIGHEST HONOR ON
THE REVEREND ROBERT F.
DRINAN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. FRANK of Massachusetts. Mr. Speaker, I am very proud to serve in this House as the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

successor to one of its most distinguished former Members, the Reverend Robert F. Drinan, who represented the Fourth District of Massachusetts from 1970 to 1980. Father Drinan came to Congress after a very distinguished career as a legal scholar and administrator, having served with enormous distinction as Dean of the Law School at Boston College. For 10 years he played a leadership role in this body on a wide range of issues, significantly enriching the deliberations of the House with his vigorous intellect and strong commitment to the public interest.

Upon leaving Congress in 1981, he resumed his academic career and has for more than 20 years continued to make extraordinary moral and intellectual contributions to the law. To take just one example, no one in the world has done more to advance the cause of international human rights—defending basic human rights without regard to the ideology of those would deny them—than Father Drinan, both as a Member of Congress and subsequently.

In recognition of his extraordinary career—which still goes forward—the American Bar Association will present its highest honor to him on August 9 at the ABA Annual Meeting in Atlanta. As ABA President Dennis Archer said in announcing the decision to award the ABA medal to Father Drinan, “By his standards of leadership, he contributes to the luster and dignity of our award.”

Mr. Speaker, the American Bar Association in explaining its decision to confer this award on a man who “has demonstrated to lawyers what it means to be committed to public service and to countless law students what is embodied in the highest dedication to ethical, moral legal practice” gives a summary description of his extraordinarily productive career. I ask that this announcement by the American Bar Association be printed here.

ABA CONFERS HIGHEST HONOR ON FORMER CONGRESSMAN, THE REV. ROBERT F. DRINAN, GEORGETOWN LAW PROFESSOR

CHICAGO, June 28, 2004.—The American Bar Association today announced it will present the 2004 ABA Medal, the association's highest honor, to the Rev. Robert F. Drinan, S.J., a former congressman, law school dean, ethicist and human rights activist.

ABA President Dennis W. Archer will present the medal at 11:30 a.m. Aug. 9 during the opening session of the association's House of Delegates during the 2004 ABA Annual Meeting in Atlanta.

“In an amazing career that has spanned more than half a century, Father Drinan has never faltered in his extraordinary humanitarian efforts and support for justice under the law. He has demonstrated to lawyers what it means to be committed to public service and to countless law students what is embodied in the highest dedication to ethical, moral legal practice. By his standards of leadership, he contributes to the luster and dignity of our award,” said Archer in announcing the selection.

The ABA medal recognizes exceptionally distinguished service to the cause of American jurisprudence.

In nominating Drinan, admirers described him as “an eloquent and effective advocate for the most downtrodden in society,” someone “active in so many areas of the law and human rights that there is not enough space to catalog them,” and such a “towering figure in the academic, professional, clerical and public service fields” that he “is the stuff of which legends are made.” They noted the ABA Section of Individual Rights and

Responsibilities created the Robert F. Drinan Distinguished Service Award in 2001, recognizing his leadership in protecting and advancing human rights, civil liberties and social justice.

Drinan represented the Fourth District of Massachusetts in the U.S. House of Representatives from 1971 to 1981, and was a member of House committees on the Judiciary, Internal Security, and Government Operations and of the House Select Committee on Aging. He chaired the Subcommittee on Criminal Justice of the House Judiciary Committee, and was a member of the Executive Committee of the Democratic Study Group of the Environmental Study Conference and the Steering Committee of Members of Congress for Peace Through Law. As a congressman, he traveled in congressional delegations and on human rights missions around the world, and he has subsequently served as an election observer in Armenia and Panama.

Drinan has been a professor at Georgetown University Law Center since 1981. He began teaching at Boston College Law School, where he became a professor in 1966 and also served as dean. He has been a visiting professor or guest lecturer at universities and law schools internationally and across the U.S.

He is a prolific author, and his eleventh book, “Can God and Caesar Coexist Balancing Religious Freedom and International Law,” is due to be published in August by Yale University Press. His previous books all have dealt with major public policy issues. He is the recipient of 21 honorary doctoral degrees.

In the ABA, Drinan is among a very few people ever to serve as chair of two distinct substantive legal sections: the Section of Family Law in 1966–67 and the Section of Individual Rights and Responsibilities in 1990–91. He also is a past chair of the association's Standing Committee on Professionalism and Standing Committee on World Order Under Law, and a former member of the association's policy-making House of Delegates.

In other law-related organizations, he has been vice president of the Massachusetts Bar Association and chair of its Committee on the Administration of Justice, chair of the Boston Bar Association Committee on Family Law, chair of the Massachusetts Advisory Committee to the U.S. Commission on Civil Rights, and a member of the National Executive Committee of the American Judicature Society and of the Executive Committee of the Association of American Law Schools.

Drinan's public service has taken him to leadership roles in many other organizations. He is a member of the National Governing Board for Common Cause and the National Council for the Lawyers Committee for Human Rights, and the Board of Directors of People for the American Way, and a past president of Americans for Democratic Action.

He was a founder and member of the Board of Directors of the Lawyers Alliance for Nuclear Arms Control, and a member of the boards of directors for Bread for the World, the Council for a Livable World Educational Fund and the NAACP Legal Defense and Educational Fund, Inc., and an advisor to the U.S. Holocaust Memorial Commission.

He served on the Advisory Committee to the U.S. National Archives and the Advisory Board of the Union of Councils for Soviet Jews. He was vice chairman of the National Advisory Council for the American Civil Liberties Union and is a member of the Helsinki Watch Committee.

Drinan chaired the International Committee for the Release of Anatoly Scharansky and Peace PAC, is a fellow of the American Academy of Arts and Sciences and

the American Bar Foundation, and was a founder of the National Interreligious Task Force on Soviet Jewry. He is a past board member of the National Board of Trustees of the National Conference of Christians and Jews and a member of the American Law Institute.

With more than 400,000 members, the American Bar Association is the largest voluntary professional membership organization in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law in a democratic society.

PERSONAL EXPLANATION

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. MURTHA. Mr. Speaker, on July 15, 2004, on rollcall No. 378 regarding H. Res. 713, I inadvertently voted “yea” but meant to vote “nay.”

Similarly, on rollcall No. 379 regarding H. Con. Res. 462, I inadvertently voted “yea” but meant to vote “nay.”

DEPLORING MISUSE OF INTERNATIONAL COURT OF JUSTICE BY UNITED NATIONS GENERAL ASSEMBLY FOR POLITICAL PURPOSE

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this resolution, and I would like to elaborate upon the important issues that are involved in securing Israel and peace in the Middle East.

As a strong supporter of Israel, I believe that Israel has every right to defend itself and that a security fence is an understandable response to three years of terrible suicide bombings and other attacks that Israeli citizens have suffered through.

I also believe it was unfortunate that the issue of the fence was brought to the International Court of Justice at all. But the issue was brought to the ICJ, and the ICJ has now made its non-binding ruling. I am disappointed and puzzled that the opinion of the court does not seem to recognize very real Israeli security concerns. Nor does it tell us how Israel or any other state is supposed to defend itself from non-state threats.

But I'm not certain that passing this resolution today will help to advance the cause of peace. And advancing the cause of peace would go a long way toward restoring our credibility in that part of the world where we need it most. To advance the cause of peace, the resolution might have mentioned the thousands of Palestinians who have also died in the violence of the last three years. To advance the cause of peace, the resolution

might have mentioned that both parties have obligations under the Road Map.

Mr. Speaker, I am suggesting merely that balance is valuable, and that it makes sense to seek points of commonality instead of to focus on those that drive us apart. I hope that the Administration can look beyond the ICJ ruling to pursue more vigorously the peace process that has stalled for too long.

HONORING JOHN BAKER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. FARR. Mr. Speaker, history reminds us of people who made a difference, who used their talent to change things. John Baker is one of those rare persons whose life has made a difference.

I first met John Baker as his classmate entering Willamette University in Salem, Oregon. We both joined the Sigma Chi Fraternity together. We studied science, religion, and history together. We played intramural sports and campus politics together.

John was always special. I think he was the first person I met who constructively was questioning authority—asking, “why not?” whenever someone was treated unfairly he spoke up for them. When the Civil Rights movement began in the South, John made sure the injustice being done was brought to the attention of the Northwest. He was always the first to rise to the cause—in many cases began the cause—to fight evil.

John's career brought him to the ministry to use it as a means of educating parishioners to the wrongs in society.

To the farmers, he brought the issues of farm workers. To the warriors, he brought the sorrow of death and destruction of the families and their enemies. To the small, friendly and secure rural towns of California, he brought the hatred and prejudice of the towns in the South. John was always a teacher, a prophet, a motivator for justice. Truly a religious leader.

That was not enough. He moved to education and a larger audience. He became a counselor of students and rose to statewide recognition in his field.

John was always pushing—pushing people to think about options, to change their lives to do better. He didn't just influence the students, he had an impact on his peers as well. He pushed his community to participate in the electoral process. He didn't just preach, he also practiced his compassion.

He was one of the first during the Vietnam War to adopt Vietnamese orphans. He didn't just tell people to vote for change, he ran for public office and got elected to the City Council.

John practices what he preaches—and he preaches what he practices. His special style makes him an ideal counselor fitting ones passions with ones work.

Public institutions will miss him because he makes those institutions do better. Teachers and students will miss him because he is the best of both. His friends will miss him because he makes friendship mean a lifetime of sup-

port. I'll miss him because he pushed me to push others. My public service as an elected county supervisor, state legislator, and now congressman, was made possible by John Baker's support and belief that ordinary people can rise to opportunity to do greater good. John personifies President Theodore Roosevelt's wise command, “Do what you can, where you are, with what you've got.” John's life and deeds are a model for how the torch should be passed to the next generation.

As John departs his position as Vice President of Student Services from Gavilan College, I wish him all the best in his retirement. He will be deeply missed.

A TRIBUTE TO THE NEWPORT BEACH JUNIOR CHAMBER

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. COX. Mr. Speaker, I rise today to recognize the many contributions of the Newport Beach Junior Chamber on the occasion of the 2004 Metropolitan Network Conference. The Newport Beach Junior Chamber, also known as the Newport Beach Jaycees, is a local chapter of the Junior Chamber International. With the stated mission of contributing “to the advancement of the global community by providing young people the opportunity to develop the leadership skills, social responsibility, entrepreneurship, and fellowship necessary to create positive change,” the Junior Chamber International is a global federation of more than 200,000 leaders and entrepreneurs who serve in over 100 nations worldwide.

Here in our country, the U.S. Junior Chamber has been an active force for positive change in communities across America. They have built parks, hospitals, playgrounds, and housing for the elderly, and they have raised millions of dollars for causes such as the March of Dimes and research into Muscular Dystrophy. With their strong passion for volunteerism, the U.S. Junior Chamber is improving the quality of life and expanding opportunities for Americans from the smallest of towns to the largest of cities nationwide.

The Newport Beach Junior Chamber was founded in 1941. In the 63 years since it was first chartered, the Newport Beach Jaycees have grown to include more than 200 men and women between the ages of 18 and 40 who live and work in cities throughout Orange County, and is the largest Junior Chamber chapter in the state of California. The Newport Beach Jaycees serve the community by hosting business skills seminars, providing project management training and networking opportunities for members and non-members alike, and by participating in community service projects, such as Habitat for Humanity and Adopt-A-Family.

This year, the Newport Beach Jaycees hosted the 2004 Metropolitan Network Conference, the U.S. Junior Chamber's annual leadership and networking symposium for chapters with over 100 members or those located in communities with 75,000 or more residents. Thursday, July 15 marked the commencement of the Conference, also known as

MetNet 2004, for which more than 120 members and community leaders traveled from across the nation and from around the world to participate in various business seminars, training sessions, and networking events that took place from Thursday through Sunday.

I wish the Newport Beach Jaycees and all participants in MetNet 2004 the best for a successful event this year, and I thank them for their continued service to our nation.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 2004

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes:

Ms. DELAURO. Mr. Chairman, I am proud to serve on the Agriculture Appropriations Subcommittee, which provides funding that supports many of the most important segments of our economy—from farm to table; and the programs that create our food safety net. Given our current budget limitations, the Committee has done a good job with what little funds they had, but it is simply not enough.

This bill leaves us with a serious shortfall in our effort to protect against bio-terrorism directed toward our food supply. The Committee provided just 40 percent of the total increase requested by both Food and Drug Administration (FDA) and the Food Safety and Inspection Service (FSIS) to improve food security. Especially in light of the new homeland security warnings we have just heard from the Administration, this is a threat we cannot afford to ignore, but our growing budget deficit has left us without the funds to address issue.

I am troubled that this bill reduces funding for the Women Infants and Children (WIC) program by about \$150 million. This nutrition program serves our poorest women and children—it touches the lives of every 5 people in the United States—and each dollar invested in the program saves more than three dollars in other government spending on programs such as Medicaid.

Shortfalls in programs like WIC and in bio-security are the result of the fiscal irresponsibility of the Republican Leadership. Choosing to provide trillions of dollars of tax cuts for the wealthiest Americans has left us faced with an increasingly broken food safety net, rising rural poverty, and potential bio-security threats for all.

And so, Mr. Chairman, while I support this bill, I believe we can and should do better—for the sake of the health and security of every citizen in this country—young and old, rich or poor—this Congress has a moral obligation to do better.

RECOGNIZING THE NESHANNOCK
HIGH SCHOOL BASEBALL TEAM
AS THE 2004 CLASS 'A' PENNSYLVANIA
STATE CHAMPS

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize the Neshannock High School baseball team, this years' Class A Pennsylvania State Champions. Head coach, Michael Kirkwood lead the Neshannock Lancers to the State Championship game, where they defeated the Muncy Indians by a score of 8-4. The Lancers ended the season with an impressive 23-1 record.

I am happy to see such spirit, dedication, and teamwork flourishing in the congressional district that I represent. I wish the members of 2004 Neshannock baseball team continued success.

I am proud to have such talented young athletes in the 4th Congressional District of Pennsylvania, and I ask that all of my colleagues in the House of Representatives join with me in recognizing their great achievement.

RECOGNIZING AND COMMENDING
MR. SAMUEL JAMES "SANDY"
KAHN

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. HUNTER. Mr. Speaker, I and my colleague, Congressman RANDY CUNNINGHAM, rise today to recognize and commend to the House a man who embodies the spirit of America and has worked tirelessly for his community. Mr. Samuel James ("Sandy") Kahn, a third generation Californian, has had both a distinguished business career and an unselfish record of community and philanthropic service.

Sandy received his undergraduate, graduate and law school education at the University of San Diego. He is Chairman and Chief Executive Officer of one of our country's largest privately owned real estate development companies that developed in excess of 25% of the developable land in the City of San Diego. Although a successful business owner and executive, Mr. Kahn has always been committed to public service. He became a member of the San Diego Sheriff's Department Reserve program. Sandy graduated first in his academy class and progressed through the ranks from Deputy to Sheriff's Captain retiring honorably in 1995 after 25 years. For his service he received the department's highest award for meritorious service.

He has given unselfishly of his time to his community, State and nation. He was selected by the Adjutant General of the State of California to serve on the Advisory Board for Homeland Security. The San Diego County Board of Supervisors appointed Sandy to its Board of Economic Advisors for two terms. He serves as the Chairman of the Board of Trust-

ees of the Thomas Jefferson School of Law and in October of 2001 he was appointed by the CEO of the San Francisco Federal Reserve bank to the "Beige Book" survey committee of leading economic indicators. He is a trustee of the Criminal Justice Legal Foundation which is committed to defending the interests of crime victims and law enforcement through both State and Federal appellate jurisdictions.

Mr. Speaker, Congressman DUKE CUNNINGHAM and I ask that the House commend Mr. Kahn for his accomplishments and his service to our Nation.

HONORING FERMI 2 POWER PLANT
FOR EXCELLENCE IN HEALTH
AND SAFETY PROGRAMS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. DINGELL. Mr. Speaker, I rise today to recognize the Fermi 2 Nuclear Power Plant located in Monroe County, Michigan. The Michigan Occupational Safety and Health Administration is awarding the Michigan Star to this DTE Energy Company plant for its accomplishments in health and safety.

The Michigan Star is the highest recognition awarded by the Michigan Occupational Safety and Health Administration and its Michigan Voluntary Protection Programs. The honor acknowledges exemplary programs in both the areas of health and safety for all employed in the power plant. This recognition is the most rigorous of the MVPP's awards, which is a true testament to the work done in this nuclear facility.

The Michigan Voluntary Protection Programs provides both employers and employees with very specific and distinct tools used to measure and evaluate the plant's programs. This award demonstrates that all of those working at the Fermi 2 Plant have worked together in achieving excellence beyond basic compliance with health and safety programs.

This power plant employs some 900 workers and provides electricity to an estimated one million residents of Southeastern Michigan. In a work environment that is so sensitive, the employers and employees of the Fermi 2 Plant have committed themselves to health and safety practices that will ensure a more productive plant for them and the community they serve.

Such accomplishments in our nuclear power plants are vital and commendable, setting an example for similar facilities. I ask my colleagues to rise and join me in recognizing DTE Energy, the Fermi 2 Nuclear Power Plant, and all of its employees on the occasion of receiving the Michigan Star.

TOW TRUCK OPERATORS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. MORAN of Virginia. Mr. Speaker, I rise today to introduce federal legislation that will

help states and localities rein in rogue towing operations that continue to harass and take advantage of local residents.

In 1994, Congress enacted the Federal Aviation Administration Act which opened a loophole permitting tow truck operators to qualify as interstate carriers exempt from state and local regulation.

A year later in 1995, Congress passed another attempt to streamline the federal government in the form of a law eliminating the Interstate Commerce Commission (ICC). This legislation struck down the regulatory body that provided federal oversight of the tow truck industry, leaving the tow truck industry without proper federal, state or local regulation.

In the years since, a number of conflicting U.S. District court rulings between towing operators and localities have been issued, including a 2000 Supreme Court decision in the City of Columbus v. Ours Garage and Wrecker Service. While the Supreme Court found that both state and local governments have the ability to exercise, free from federal preemption, the "safety regulatory authority" provided in law, the Court unfortunately failed to address what specific types of regulation would qualify under this distinction. Subsequent federal court decisions have yielded little additional clarity and have probably confused the issue further.

Without a clear judicial precedent, states and localities have been confronted with a barrage of problems related to "non-consensual" or "trespass tows." It has been brought to my attention that in Arlington County, VA alone, over 280 complaints and inquiries with regard to trespass towing have been received in the past 2 years.

Due to a lack of clear guidance from the courts and the large number of cases which have been brought to my attention involving a group of small but very active predatory towers in this region, I am here this morning to announce the introduction of legislation that will close the federal loophole, once and for all, that has prevented states and localities from having the full authority to regulate all aspects of "non consensual" towing.

Entitled the "State and Local Predatory Towing Enforcement Act of 2004," this legislation simply amends title 49 of the United States Code to give state and local governments the ability to enact common-sense, pro-consumer "trespass towing" protections for their residents.

Something is wrong when, in the absence of any federal regulatory oversight, local and state governments do not have the proper authority to protect their citizens against companies not conducting safe business practices.

Whether it be overcharging someone an arm and a leg for parking illegally in an area with no signs properly designating the space, to a lack of ATM machines at tow lots requiring cash only transactions to get your car out of impoundment, tow companies should be held accountable by state and local governments for non-consensual towing practices that do not take the consumer into account.

A solution to bring an end to this out of control problem is needed. The "State and Local Predatory Towing Enforcement Act" is that solution. It will correct a lack of regulatory oversight for an industry whose image is being tarnished by a few bad apples, and in doing so, will return power back to the people.

HONORING THE 15TH ANNIVERSARY OF CAL STATE SAN MARCOS

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate California State University San Marcos for its 15th Anniversary which will be celebrated on September 1, 2004. It is an honor to recognize the accomplishments and contributions that this university has made over the years for the City of San Marcos, and the San Diego region, and for the priceless opportunities it has provided for over 13,000 graduates.

Over the past 15 years Cal State San Marcos has grown from a small campus with classes held in rented space next to a furniture store to an accredited four-year institution that is the leader for higher education in the northern San Diego region. The creation of Cal State San Marcos resulted from more than 20 years of work by business and civic leaders who understood how important a university campus could be to the region. A leader among them was Assemblyman and later State Senator William A. Craven, who obtained initial state funding for the campus.

In 1990, President Bill Stacey, twelve founding faculty and key administrative support staff were hired and the campus consisted of 448 upper division students. As of today I am proud to say there are 7,777 student enrolled at Cal State San Marcos. I have closely observed the rapid growth of this institution and couldn't be more proud of its accomplishments. I have witnessed numerous campus facilities rise from the hillside where it was established, including their newest addition, the Kellogg Library.

I have worked closely with past presidents, including Dr. Alexander Gonzalez, who served the institution from July 1998 to July 2003, and is currently the president of California State University Sacramento, the sixth largest campus of the twenty-three California State Universities. His successor, Dr. Karen Haynes, has come to lead Cal State San Marcos from the Victoria, Texas, campus of the University of Houston, where she was president since 1995. With the exceptional vision and value of leaders like these two, a city that embraces collegiate excellence, and a community that prides itself on positive growth, it is only befitting that a successful institution of higher education emerge.

Mr. Speaker, it is my honor to recognize California State University San Marcos for 15 years of collegiate excellence and the continuing role this institution plays in enriching the lives of students. This campus is fused with boundless optimism as it prepares to meet the higher education needs of a growing region. Happy Birthday Cal State San Marcos.

HONORING WILLIAMSTOWN MIDDLE SCHOOL

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. ANDREWS. Mr. Speaker, I rise today to honor and congratulate the students of

Williamstown Middle School who have received the Principal's Award over the past two academic years. The Principal's Award is given to students who have earned straight A's for at least one academic quarter, clearly an accomplishment worthy of notice.

As these young constituents have already realized, the importance of education should never be underestimated. These students have clearly shown their commitment to education and academic achievement, and are well on their way to becoming our nation's future leaders. I wish to congratulate these individuals for their firm dedication to learning, and urge them to continue along this path.

During the 2002–2003 school year the Principal's Award was received by the following sixth graders: Sequia Adams Ferebee, Jennifer Annarelli, Brittany Arnold, David Barbalace, Kevin Barger, Victoria Becker, Jordan Bonder, Gillian Bradley, Krista Butler, Ashley D'Ambrosio, Nicholas Davis, Francesca Dougherty, Tiffany Fanelli, Sarah Fauvell, Kayla Gennarelli, Daniella Genovese, Nicole Goldsmith, Chelsea Grahamslaw, Courtney Grim, John Lafferty, Daniel Lang, Matthew Leonardi, Dena Mahoney, James Maldonado, John McCormick, Kevin McDonough, Kimberly Nothstein, Steven Ray, Victoria Rocco, Jody Salvatore, Timothy Schipske, Jaclyn Stewart, Nicholas Stola, Katie Trotter, Chris Whipple, Ashley Wilkinson, Gabrielle Wurdarski. In the seventh grade the following students received the award: Erika Abel, Kristen Antonelli, Rachel Brown, Krisitin Capasso, Grace Ann Charles, Arielle Dibling, Christina Fuscillano, Amber Hassan, Meeghan James, Jocelyn Jengehino, Amber Kane, Brian Kelly, Amanda Kimer, Brittany Kubat, Brian Lallier, Mandy Lei, Denay Morrison, Christine Oagar, David Ofoosu-Appiah, Daniel Palieri, Brielle Sneed, Michelle Talnagi, Frances Ulmer, Megan Wadsworth, Mark Washko, Tara Weeast, Collin Whipple. Eighth grade recipients included: Justin Abraham, Adam Brinkman, Heather Butler, Hollie Butler, Jamie Dougherty, Shady El Damaty, Eric Flinn, Angela Forjohn, Douglas Fuscina, Amanda Gregory, Lisa Guarrera, Josh Haynes, Anne Inacay, Robert Knecht, Sandra Lamplugh, Christopher Lewandowski, Anthony Lopez, Nicholas Marella, Anthony McCullough, Michael Mueller, Joseph Obraczewski, Frederick Powell, Niccolo Reggente, Kacey Richards, Sarah Sottile, Anthony Stola, Gerard Tigue, Michael Torres, Heather Vischoric, Amanda Williams, Arielle Williams, Laura Williams.

During the 2003–2004 school year the following students of the sixth grade received the award: Emilie Albert, Douglas Blankenship, Amanda Branda, Stephanie Bradley, Jessica Bullman, Jamie Cattell, Mia DiFilippo, Amber Endres, Mariel Enriques, Caitlin Graham, Joseph Gratton, Brandon Harner, Amy Harrington, Juliet Jengehino, Ashley Jones, Sarah Kee, Sean Kryston, Shannon Listman, Rachel Maiorano, Jessica Martinez, Robert Mele, Carly Moffa, Briana Molino, Nicholas Randazzo, Gabrielle Richardson, Jade Richardson, Christopher Rotella, Corrie Sellers, Veronica Shevlin, Jacob Sprengle, Caitlin Stewart, James Stewart, Jennifer Stief, Andrew Sudler, Amanda Tran, Alexander Vickers, Keyanah West, Alyssa Worstell. Seventh grade recipients included: Brittany Arnold, David Barbalace, Jordan Bonder, Gillian Bradley, Michelle DeCraene, Francesca Dougherty,

Tiffany Fanelli, Sarah Favell, Danielle Genovese, Robert Giarnone, Jr., Courtney Grim, Jason Irlieh, Charlotte Kirkby, Kelli Kleinsmith, John Lefferty, Daniel Lang, Dena Mahoney, Kevin McDonough, Kimberly Nothstein, Sheeaa Rastogi, Steven Ray, Tanya Roberson, Victoria Rocco, Jody Salvatore, Nicholas Stola, Katire Trotter, Crystal Uzdevenes. Recipients in the eighth grade were: Keleofa Bernard, Kristin Capasso, Grace Ann Charles, Jamie Curran, Christina Fuscillano, Antonio Inacay, Brian Kelly, Michael Kessler, Amanda Kimex, Melissa Kortman, Julian Magner, Daniel Palmieri, Julianne Smith, Sharon Sudarsanan, Magan Wadsworth, Mark Washko, Tara Weeast, Collin Whipple.

Mr. Speaker, I ask that my colleagues in the House of Representatives join me in recognizing the Principal's Award recipients of Williamstown Middle School. Their accomplishments are truly deserving of national commendation.

CELEBRATING THE 70TH ANNIVERSARY OF THE ARMENIAN WEEKLY NEWSPAPER

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. MARKEY. Mr. Speaker, I rise to pay tribute to a treasured institution in the Armenian-American community and in my Congressional District, the "Armenian Weekly Newspaper" which is celebrating its 70th Anniversary of publication this year.

Since 1934, the English-language Armenian Weekly has been published by the Hairenik Association of Watertown, Massachusetts, located in my district. The Association also publishes the Armenian Weekly's parent publication, "The Hairenik," which is the longest running Armenian-language newspaper in the world.

Mr. Speaker, this past April we gathered to commemorate the Armenian Genocide, one of the darkest chapters of World War I, and what is sometimes called the "Forgotten Genocide." The Armenian Weekly plays an invaluable role in helping all of us to remember that tragic period, but more importantly, to celebrate the lives of the survivors and their wonderful and enduring culture.

In September of 1919, President Woodrow Wilson spoke of his vision of a future Armenia. He said, "Armenia is to be redeemed . . . So that at last this great people, struggling through night after night of terror, knowing not when they may come out into a time when they can enjoy their rights as free people that they never dreamed they would be able to exercise." Since the rebirth of the Armenian nation following the collapse of the former Soviet Union, the Armenian Weekly has run numerous stories on issues and events affecting the politics and economy of the Republic of Armenia, and the efforts of the Armenian-American community to support its struggle to survive and prosper.

Mr. Speaker, two of our most cherished freedoms in the United States are freedom of speech and freedom of the press. For seventy years now, Armenian-Americans have been

celebrating those freedoms through the Armenian Weekly Newspaper. In addition to its extensive coverage of news events of interest to the Armenian-American community, over the years, the paper has printed numerous short stories, essays and poems. For example, the stories that initially brought noted Armenian-American writer and playwright William Saroyan to national attention were first published in the Armenian Weekly.

I congratulate Editor Jason Sohigian and everyone associated with this remarkable publication and I wish the Armenian Weekly Newspaper many more years of service and success.

RECOGNIZING MAJOR GENERAL MICHAEL P. WIEDEMER, U.S. AIR FORCE, DIRECTOR OF THE DEFENSE COMMISSARY AGENCY AT FORT LEE, VIRGINIA, FOR HIS SERVICE AND DEDICATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. FORBES. Mr. Speaker, I rise today in recognition of Major General Michael P. Wiedemer, Director of the Defense Commissary Agency, for his loyal service to the United States and Virginia's Fourth District.

Major General Wiedemer's dedication and loyalty to the advancement of our district and the nation as a whole is to be commended. He has played an instrumental role in overseeing the growth and preservation of the military's worldwide commissary system since he assumed command in August 2002.

Since first being commissioned in the U.S. Air Force over 30 years ago, Major General Wiedemer's devotion to duty has reflected the highest standards of the military profession. After four years of service, he served as Chief of Data Automation as part of the 347th Tactical Fighter Wing on the Moody Air Force Base in Georgia. He has served on numerous airbases throughout the United States. His military education is extensive and includes Squadron Officer School, the Air Command and Staff College, Defense Systems Management College, and the Industrial College of the Armed Forces. Major General Wiedemer also holds a Bachelor of Science degree and a Masters degree in Industrial Management.

Major General Wiedemer's decorations include the Distinguished Service Medal, the Defense Superior Medal, Legion of Merit with Oak Leaf Cluster, Meritorious Service Medal with Three Oak Leaf Clusters, an Air Force Commendation Medal, and the Defense Superior Service Medal.

Major General Wiedemer has shown tremendous commitment and devotion to his country. Today we recognize him for his unwavering patriotism and dedication to both his profession and the American people.

Mr. Speaker, please join me in honoring Major General Michael P. Wiedemer.

CONGRATULATING MR. JEROME W. WATSON ON HIS RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and honor that I congratulate Mr. Jerome W. Watson on his retirement from United Steelworkers of America Local Union 1066. Jerome has spent nearly 35 years dedicating his life to the interests of Local Union 1066 as well as his community in Northwest Indiana. His career at Local 1066 has allowed him the opportunity to touch the lives of numerous people.

Jerome Watson has accomplished many visionary goals throughout his career. Before joining Local 1066, Jerome admirably served in the United States Army during the Vietnam War until his honorable discharge in 1969. He began his career at Local 1066 as a Grievance Committeeman in 1976. After being hired by United States Steel as a Motor Inspector Expanded, Jerome faithfully served Local 1066 on the Classification Committee, By-Law Committee, Institute for Career Development Local Joint Committee, Legislative Committee, and as Editor/Chair of the Banner Newspaper Committee. He was Grievance Chairman of Local 1066 from 1985–1991 and again in 1996–2003, and he served as the President from 2003–2004.

Not only has Jerome Watson had many positive accomplishments throughout his career at Local 1066, he has also actively contributed to his community through participation in various programs aimed at improving opportunities for the people of Northwest Indiana. Jerome participated in the successful negotiations that resulted in the Ivy Tech/United States Steel craft articulation agreement, which allowed graduated apprentices and trainees to obtain Associates Degrees through credit allowed for previous relevant training and additional Ivy Tech core classes. Along with his many other accomplishments, Jerome has received numerous awards and certificates, including the Q1 award for Union Involvement from Ford Motor Company, the Labor award from the A. Phillip Randolph Institute. He was honored with the awards of merit for Local Union 1066 Banner Newspaper for best local union coverage, best regular column, and best U.S.X. 1986 "lockout coverage." Jerome received certificates of approval from the U.S. Department of Labor, Bureau of Apprenticeship and Training, and the Ivy Tech State College program of Electrical and Mechanical Degree Program.

Jerome has demonstrated his loyalty by his outstanding service to Local 1066 and his community through his hard work and self-sacrifice. Although Jerome has served on numerous Committees and has dedicated his time to Local 1066, he has never neglected to provide support and love to his family. Jerome and his wife Linda have one son, Jerome Jr., and a daughter, Tina.

Mr. Speaker, Jerome Watson has given his time and efforts selflessly to the people of Northwest Indiana throughout his years of service. He has taught every member of Local 1066 the true meaning of service to all members of the Northwest Indiana community. I respectfully ask that you and my other distin-

guished colleagues join me in congratulating Mr. Jerome Watson for his outstanding contributions to Indiana's First Congressional District. I am proud to commend him for his lifetime of service and dedication.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

SPEECH OF

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes.

Mr. SULLIVAN. Mr. Chairman, I would like to comment for the record regarding yesterday's passage of the Maloney Amendment to H.R. 4766, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005.

The Maloney amendment, which was adopted yesterday by the House by voice vote, stated that no funds may be used to keep a contraception drug as prescription-only if it has been determined to be safe and effective without a doctor's supervision. Let the record state that there is not an oral contraceptive that has been determined to be safe and effective without a doctor's supervision. Current law already requires FDA to make products available over the-counter only when they are found to be safe and effective.

On May 7, 2004, the FDA rejected an over-the-counter application from Barr Pharmaceuticals for the morning after pill because and I quote: "... we have concluded that you have not provided adequate data to support a conclusion that Plan B can be used safely by young adolescent women for emergency contraception without the professional supervision of a practitioner licensed by law to administer the drug." The petitioners for over-the-counter status could not prove that the drug was safe and effective without a doctor's supervision. It is important to note that the Maloney amendment has no effect on current law and merely restates current FDA law and policy regarding prescription drugs and over-the-counter drugs.

I am concerned that my colleagues on the Democratic side of the aisle are attempting to use this amendment to chastise the FDA for its refusal to allow morning-after birth control pills to be sold without a doctor's prescription. I understand that the FDA is being lobbied heavily by the business community and social liberal groups for acceptance of Plan B and other over-the-counter pills that would seek to terminate a pregnancy. I'm encouraged that the FDA is willing to place the concerns of public health above other considerations and I am hopeful that the FDA will continue to resist pressure from these outside interests.

CONGRATULATING VALMONT ON
THE 50TH ANNIVERSARY OF CEN-
TER PIVOT IRRIGATION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. BEREUTER. Mr. Speaker, this Member congratulates Valmont Industries as it celebrates the 50th anniversary of center pivot irrigation.

The introduction of center pivot irrigation in 1954 proved to be a crucial development in agricultural production across the U.S. and around the world. Although these irrigation systems are now a common sight on farms throughout the globe, it is important to remember the vision and determination that led to this innovation half a century ago.

The wide use of center pivot irrigation systems has resulted in increased agricultural yields and greater water conservation. The growing emphasis on water quality and quantity issues have resulted in even greater demand for center pivot irrigation systems, which can now be found throughout the U.S. as well as Africa, Europe, the Middle East, Latin America, China, Australia and elsewhere. Valmont can certainly take great pride in the role it has played in facilitating crop production in a more environmentally friendly manner.

Although now a worldwide operation, Valmont's Nebraska roots remain firmly in place. Valmont Industries, which is headquartered in Omaha, Nebraska, and has its primary manufacturing facility in Valley, Nebraska, now operates 34 facilities located in 14 countries. The company's name is a combination of the two Nebraska communities on either side of the first Valmont plant—Valley and Fremont. Valmont has more 5,200 employees worldwide, with about 1,500 located in Nebraska. This Member is pleased to note that Valmont operates two plants in his congressional district—one in West Point and another in Waverly.

The success of Valmont has truly been a company-wide team effort. However, this Member would like to specifically commend and congratulate Mogens Bay, Valmont's Chairman and CEO; Terry McClain, Senior Vice President and CFO; Bob Meaney, Senior Vice President; and Tom Spears, President of the Irrigation Division. Certainly, this Member would also like to extend his thanks and congratulations to Bob Daugherty, Valmont's founder.

COMMUNITY CHURCH 50TH
ANNIVERSARY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. BURGESS. Mr. Speaker, I rise today to congratulate The 121 Community Church on its outreach mission and dedication to the community. Five years ago, friends Ross Sawyers and Michael Moss founded a church in a living room. Today, 121 Community Church has volunteers all over the world including Australia, Guatemala, Mexico and Russia. Church membership has grown from 50 mem-

bers to 400. On Sunday mornings, anywhere from 600 to 750 people attend the three Sunday services.

In celebration of their fifth anniversary, the members of 121 Community Church wanted to do something truly unique. They decided to model a service project after the popular cable TV show, Trading Spaces. The project, called "Aiding Spaces," provides free renovations to five families who cannot afford proper renovations. The families will be selected from five different areas of the Dallas-Fort Worth area. The renovations will be filmed by video crews and be created into a mini reality television series that will be aired at the churches 50th Anniversary celebration in September.

Church membership includes a number of general contractors, electricians and plumbers will lend their services. Their donated work is estimated at nearly \$150,000.

I congratulate the efforts of 121 Community Church and their generous celebration. I am certain they continue their wonderful community outreach projects in the future. Through their church, members are able to make a substantial difference in each other's lives. The church should take pride in its hard work and commitment to service.

PERSONAL EXPLANATION

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. DAVIS of Tennessee. I rise to offer a personal explanation. On Thursday, July 15, I was unavoidably absent for Rollcall No. 384, to table the appeal of the Ruling of the Chair.

Had I been present, I would have voted "no".

TRIBUTE TO MISHELLE
TOWNSEND

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Riverside County, CA, are exceptional. We have been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give of their time and talent and make their communities a better place to live and work. Michelle Townsend is one of these individuals.

Mischelle Townsend has lived and worked in the Inland Empire most of her life. Today she retires from public service, where she will be greatly missed.

Mischelle Townsend came to Riverside County after five years working with the aerospace industry, North American Rockwell Corporation, including direct support of the Apollo Project. She then entered the public sector, where her time and talent has been vital to the growth of the Inland Empire. She has a Bachelor of Arts from the University of Redlands and a Masters in Public Administration from California State University, San Bernardino.

Twenty-two years Riverside County has been privileged to have Mischelle Townsend,

as the Executive Officer of the Local Agency Formation Commission (LAFCO). LAFCO is a state regulatory commission responsible for jurisdictional changes such as the incorporation of new cities, annexations and formation of new special districts. Under Mischelle's tenure at this agency, three cities were established in seven years: Moreno Valley, La Quinta and Cathedral City.

Mischelle Townsend later served six years as Assistant Chief Administrator Officer, where her responsibilities included: preparation of Riverside County's annual budget, development of policy recommendations from 33 county departments and agencies, administration of an \$18 million Special District Augmentation Fund, preparation of the annual Capital Improvements Program, and chairmanship of various task forces and policy advisory committees.

She then moved onto Director of Riverside County's General Services Agency and eventually moved into her current position as Registrar of Voters on July 31, 1997. As Registrar of Voters, Mischelle has been widely recognized as an innovator in modern election services.

Outside of the office, Mischelle has been equally giving of her talents. Her community involvement includes, but is not limited to: President of the Executive Council for the American Society for Public Administration (ASPA/Inland Empire); Vice President/Volunteer Personnel for the Inland Empire Chapter of the Boy Scouts of America; past member of the Board of Directors for Alternatives to Domestic Violence; Soroptimist International of Riverside; and, active member of Crossroads Christian Church.

Mr. Speaker, Mischelle Townsend's tireless passion for her profession and community has contributed immensely to the betterment of the Inland Empire, California. She has been the heart and soul of many innovative projects and events and I am proud to call her a fellow community member, American, and friend. I know that the community is equally grateful for her service and salute her as she retires from professional service.

CONGRATULATING SISTER MARY
SIMON ON RECEIVING JUDITH
STANLEY COLEMAN AWARD
FROM THE VISITING NURSES AS-
SOCIATION OF CENTRAL JERSEY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. HOLT. Mr. Speaker, I rise today to congratulate Sister Mary Simon for receiving the Judith Stanley Coleman Award from the Visiting Nurses Association of Central Jersey. The award is given annually to a community leader who exemplifies a positive attitude, significant service in health care, vigilance and passionate advocacy for community health issues, and strong networking in the community. Sister Simon is a tremendous person whose heart is full of compassion for her fellow humans and she fully deserves of this prestigious award.

Sister Mary Simon has taught in various grammar schools throughout the diocese of Trenton over the past 19 years. In 1975, upon

completion of her Master's in Education, she was appointed director of senior services in Keansburg. It was in this post that she determined that transportation, education, and health were the most pressing needs of local seniors. Sister Simon obtained a van for senior transportation and created a GED program for seniors to complete their high school diplomas. However, it was in health that Sister Simon found her true calling. She was able to get local nurses to conduct free blood pressure screening and health education classes for the local seniors. Sister says, soon she arranged with the Visiting Nurses Association of Central Jersey to identify local residents who needed care and assisted the nurses to meet the patient's needs.

Six years later Sister Simon was appointed as the Executive Director of the Monmouth County Office of Aging. There she helped establish many innovative programs which still exist today, including a collaboration with the Visiting Nurses Association of Central Jersey that bring nursing and physical therapy to low income and minority seniors.

In 1998, Sister Simon was appointed Coordinator of New Jersey Adult Protective Services. Working on behalf of seniors statewide, Sister Simon was responsible for overseeing the safety of the most at-risk seniors in the state—living in abusive or potentially abusive situations.

After a long career spent improving the health of New Jersey seniors Sister Simon was ready to retire but soon she had a new assignment assisting seniors in central Jersey. Since 2001, she has been working on behalf of Bishop John Smith and the Trenton diocese again as Coordinator of their Ministry to the Aging. Sister Simon is now working on behalf of the 363,967 seniors in Monmouth, Ocean, Mercer and Burlington counties, many of whom I represent in Congress.

Mr. Speaker, I again want to take this time to congratulate Sister Simon on behalf of the thousands of lives she has touched in her long tenure in New Jersey. Sister Mary Simon certainly deserves the Judith Stanley Coleman Award from the Visiting Nurses Association of Central Jersey. I thank her for all her hard work and wish her all the best in the future.

DETENTION OF AMERICAN CITIZENS AND FOREIGNERS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Ms. SCHAKOWSKY. Mr. Speaker, I commend to the attention of my colleagues the text of an article written by former Congressman Abner Mikva, who also has an extremely distinguished legal career history, which appeared in the July 16 edition of the Washington Post. I strongly agree with the concerns Mr. Mikva expresses in this article. I, too, believe the Bush Administration has gone dangerously too far in its detention of American citizens and foreigners. I share the hope that this President will return to the traditions that have made our democracy strong.

[From the Washington Post, July 16, 2004]

DANGEROUS EXECUTIVE POWER

(By Abner Mikva)

In 1971, along with the late Rep. Spark Matsunaga and others in the House of Representatives, I sponsored the Non-Detention Act, which states: "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress."

This simple provision of law has served as a bulwark against the United States' ever again establishing internment camps for citizens—as it did during World War II—without the acquiescence of Congress. It also stilled the concern occasioned by a McCarthy-era statute that authorized some camps (which were never opened) to hold those engaging in riot or insurrection. The purpose of the Non-Detention Act was clear: to prevent the executive from detaining U.S. citizens without explicit statutory authority.

Recently the Supreme Court considered the Non-Detention Act in the case of Yaser Esam Hamdi, a U.S. citizen taken prisoner in Afghanistan while allegedly fighting for the Taliban. Justice Sandra Day O'Connor wrote that "a state of war is not a blank check for the President when it comes to the rights of the Nation's citizens."

But did an act passed by Congress shortly after Sept. 11, 2001, provide the President with the statutory authorization to detain U.S. citizens that was required under the Non-Detention Act?

Justice David Souter stated that the post-Sept. 11 law—the Authorization for Use of Military Force—is "fairly read to authorize the use of armies and weapons, whether against other armies or individual terrorists." But this act never uses the word "detention," and, Souter wrote, there is "no reason to think Congress might have perceived any need to augment Executive power to deal with dangerous citizens within the United States, given the well-stocked statutory arsenal of defined criminal offenses covering the gamut of actions that a citizen sympathetic to terrorists might commit."

Although Congress gave the president the power to use military measures to fight terrorism, it did not strip U.S. citizens accused of terrorist activities of the protections of citizenship. U.S. citizens accused of involvement in terrorist activities should be charged with a specific crime or released—not held indefinitely.

The lesson of history is that if Congress is going to authorize the detention of American citizens for indefinite periods, it needs to do so directly and intentionally, so that it can be held accountable. Why? Because executive detention is a dangerous power that otherwise can too easily be abused, as the Japanese American detention camps showed in World War II.

Our more recent history shows that many are being detained based on suspicion of involvement in a terrorist conspiracy. Some were released after a period of detention, without any charges being filed. Others, such as Hamdi or a Chicago suspect named Jose Padilla, accused of plotting to detonate a "dirty bomb," are still being held. Today, after the Hamdi decision, such persons have limited right to access to counsel and some ability to challenge in court the factual determination of whether they can be deemed "enemy combatants." But they lack the basic right to know the charges against them or to receive a host of assurances of due process available even to a U.S. citizen charged with treason.

The principle at the heart of the Non-Detention Act was affirmed by Justice Antonin Scalia, who wrote (with Justice John Paul

Stevens's support): "The very core of liberty secured by our Anglo-Saxon system of separated powers has been freedom from indefinite imprisonment at the will of the Executive." As O'Connor observed, "It is during our most challenging and uncertain moments that our Nation's commitment to due process is most severely tested; and it is in those times that we must preserve our commitment at home to the principles for which we fight abroad."

Thirty-three years ago Congress expressed the same vision with the plain words of the Non-Detention Act. The Supreme Court has left it to the lower courts to decide on a case-by-case basis whether the Authorization for Use of Military Force or future congressional enactments satisfy the requirements of the Non-Detention Act and give the executive branch the right to detain American citizens. I hope the courts will set the bar high and prohibit the detention of U.S. citizens by the executive unless Congress specifically authorizes such detention. And I hope Congress will take care in the future to avoid the kind of ambiguity the Supreme Court found to exist in the military force act. Finally, I hope this president will return to the traditions that have made our democracy strong and realize that if he believes he needs additional powers to fight terrorism, he should make that case to Congress and the people.

PRINCIPAL MILTON WALLACE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. BURGESS. Mr. Speaker, I rise today to recognize Principal Milton Wallace. Since 1990, Mr. Wallace has served as the principal of Denton High School. After serving for over a decade, this August, Mr. Wallace will leave Denton High School to become principal of Longview High School where he can be closer to his aging parents.

For the three years leading up to being named principal, Milton Wallace served as the assistant principal at Denton High School. During this time he was named Assistant Principal of the Year for Region XI by the Texas Association of Secondary Schools Principals. As principal, he has been a finalist for Texas Principal of the Year twice.

During his tenure, Principal Wallace significantly expanded the Advanced Placement Program. Denton High School students' SAT scores improved, and in 2002, the Texas Education Agency raised Denton High School's rating to "recognized" status.

Milton Wallace is well loved by his students and very active in his school's community. He attends nearly every athletic, fine arts and academic event. In the fall, he travels with the football team and in the spring he travels to UIL events so he can support his school at every venue.

Principal Wallace certainly put the "pal" in principal. I would like to commend Principal Wallace on the accomplishments he has made as principal of Denton High School. As principal during my son Mike's high school years, I know firsthand that he provided his students with an enjoyable, yet rigorous academic environment and will be missed greatly. We are proud of his achievements and wish him luck in the future.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Ms. ROYBAL-ALLARD. Mr. Speaker, due to circumstances affecting the health of a family member, I was not present for rollcall votes 385 through 389 on Thursday, July 15. Had I been present, I would have voted "no" on rollcall vote 385, "yea" on rollcall vote 386, "no" on rollcall vote 387, "yea" on rollcall vote 388, and "yea" on rollcall vote 389.

WELCOME TO BECKLEY, MR.
PRESIDENT**HON. NICK J. RAHALL, II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. RAHALL. Mr. Speaker, again I wish to discuss the Transportation bill. This time, I want to discuss this much-needed bill in light of President Bush's recent visit to my hometown of Beckley, West Virginia last Friday, July 16, 2004.

This week, Congress will again have to extend the authorization for the previous Transportation bill because we still do not yet have a reauthorization. The previous authorization originally expired almost a year ago. Now, we will be extending that previous authorization for the fifth time—that's right, the fifth time—because Congress still hasn't done its work and completed a new bill.

The reason Congress still hasn't done the Transportation bill is that the White House clearly does not want us to finalize this bill in an election year, and the Republican Leadership in the House and the Senate just follow the Administration's orders. As I have said repeatedly, we should complete the bill, and if the White House wants to veto it, it can go ahead; there are clearly enough Republican and Democrat votes to override a veto and get the Transportation bill finished. But by doing nothing, the House and Senate Republican Leadership are siding with the White House, and preventing Congress from carrying out its Constitutional role as a coequal branch of government.

As I said last week, here on the House floor, States like my home state of West Virginia have been waiting for far too long now to see just what, if anything, they could expect to receive from the Federal Government. This money will help finance important highway and transit projects such as the Beckley Intermodal Gateway, provide good-paying jobs that are sorely needed in this uncertain job market, and sustain our economic growth at this critical point in time.

Mr. Speaker, I have an editorial from a distinguished newspaper in my hometown, the Register Herald, which I would like to submit for the RECORD to accompany my remarks. This editorial from Friday, July 16, 2004, graciously welcomes the president to Beckley. Importantly, it also goes on to note how badly Southern West Virginia needs the highway funding that President Bush is blocking. The editorial reads as follows:

MR. PRESIDENT—WELCOME TO BECKLEY

Today, for the first time in history, a sitting United States president will be in Beckley.

President George W. Bush is scheduled to make a campaign appearance around 4 p.m. today at the Raleigh County Armory Civic Center.

The city, Raleigh County and all of southern West Virginia are proud to have been chosen for a visit. We're happy to see him in person and are most interested to listen to his thoughts on the issues that face us as a Nation.

However, we want to ask Mr. Bush one thing in return. Soon to come before him will be a highway appropriations bill which he's threatened to veto if it carries a price deemed too expensive. Included in this bill is more than \$2 billion to help finance a number of projects that are crucial to the economic development of Berkley, Raleigh County and southern West Virginia. If the economy is to continue the turnaround that Mr. Bush says is gathering steam, we need this money to keep it running.

We trust Mr. Bush enjoys his visit here. We wish he could stay longer and enjoy the beautiful mountains we call home.

No matter which party you're supporting in the upcoming presidential election, partisan politics should be put aside when the president comes to town.

TRIBUTE TO MR. GEORGE PUTNAM

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. GARY G. MILLER of California. Mr. Speaker, I rise to pay tribute and honor the distinguished career and legacy of Mr. George Putnam.

When asked what the most important elements in a newsman's character should be, Mr. Putnam replied, "an insatiable curiosity, objectivity, perseverance but, most of all, integrity." These are some of the sterling qualities that have guided his illustrious 70 year career as a broadcaster, reporter and commentator. In 1995, Mr. Putnam was awarded the prestigious Los Angeles Area Governors Award from the Academy of Television Arts & Sciences. He has been the recipient of four Emmys, six California Associated Press Television & Radio Association awards, and eight annual Radio & Television News Club awards. Legendary radio commentator Walter Winchell called Gorge Putnam's voice "the greatest in radio and television."

From his first broadcast in 1934 at WDGy in Minnesota to his current show, Talkback, on KSPA-AM, George Putnam has earned the respect of his listeners and his peers. It is with great pleasure that I wish him a Happy 90th Birthday, and acknowledge his lifelong contributions to the journalism industry.

TRIBUTE TO DR. DIETHER
HAENICKE**HON. FRED UPTON**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. UPTON. Mr. Speaker, I rise to pay tribute to Dr. Diether Haenicke who today re-

ceived the 2004 Red Rose Citation for outstanding community service from the Rotary Club of Kalamazoo, Michigan. A dedicated and selfless individual, Diether has tirelessly served and greatly impacted the quality of life of countless individuals throughout the state of Michigan.

During his distinguished service as president of Western Michigan University from 1985 to 1998, Diether inspired and impassioned students and colleagues alike. For many years I have looked upon Diether not only as a voice of knowledge and insight, but also as a friend. Despite his retirement, he continues to be an active voice in the community.

Diether spent a career devoted to extensive charity and loyalty to local individuals and the community as a whole. Whether one looks at his service and leadership at the Kalamazoo Institute of Arts, as commissioner of the Education Commission of the States, or on the Board of Trustees for Bronson Methodist Hospital, Diether has a long history of benefiting the communities of Southwest Michigan.

Since 1945, the Rotary Club of Kalamazoo has annually presented the Red Rose Citation to outstanding members of the community, and I can think of no one more fitting to receive this great honor than Diether. I extend my very best wishes to Diether and his family.

INTRODUCTION OF THE CHILD
SAFE ACT OF 2004**HON. WALLY HERGER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. HERGER. Mr. Speaker, today I am introducing the Child Safety, Adoption, and Family Enhancement Act (Child SAFE) of 2004. This legislation would reform the Nation's child protection programs to ensure that children are safe and families are strengthened.

Like the Aid to Families with Dependent Children (AFDC) program before the historic 1996 welfare reforms, the Nation's child protection programs are broken. More than 500,000 children are in foster care today. Foster care should be a temporary, short-term placement for children until they can be reunited with their parents or placed with a safe, adoptive family. However, on average, children remain in foster care for almost three years. Unfortunately, too many of these children also will experience further abuse and physical and emotional scars that will haunt them for decades.

Every State's child protection program failed recent Federal reviews. Since November 2003, the Ways and Means Human Resources Subcommittee I chair has heard from more than 40 witnesses who have testified that the current child protection programs are ill-equipped to prevent abuse and keep children safe. In May 2004, after a year of study, the nonpartisan Pew Commission on Children in Foster Care proposed major changes to current financing rules for child protection programs. Many of the Pew Commission's recommendations are included in the Child SAFE Act. It is time to respond to the growing body of evidence demanding change and better accountability from our Nation's child protection programs.

The Child SAFE Act would focus on outcomes, rather than process, to better protect children by (1) providing more resources, (2) promoting better outcomes, (3) increasing accountability for results, and (4) increasing State flexibility. The legislation would increase overall child protection program funding over the next 10 years by \$2 billion. Federal funding for every child protection activity—foster care, adoption, family services, and case-worker oversight—would rise over the next 10 years.

Current child protection programs provide limited funding for services to assist families and keep them safely together. At the same time, the system provides open ended funding if kids are removed from their families, leading many to conclude that the system encourages an over-reliance on foster care. The result is that countless children are abused and too many families broken up.

The Child SAFE Act would provide Federal foster care aid for every child regardless of income, addressing a longstanding concern among families, advocates and program officials. It also would guarantee rising foster care funding to States regardless of the number of children in care. That means that States that promote more up-front services to either keep kids out of foster care or move them more quickly through foster care will have even more dollars to invest in additional services. This will remove any financial incentive for a State to needlessly remove a child from their family or let that child languish in foster care for years.

The Child SAFE Act also would promote adoption of children from the public child welfare system. Federal adoption assistance will be available for these children regardless of income. Since 1995, the number of children adopted from the public child welfare system has more than doubled. However, more than 129,000 children in foster care await adoptive families. We must encourage States to do more to find safe, loving homes for these children.

The legislation would increase Federal aid for family services and caseworkers. Federal aid would be (1) merged, (2) guaranteed, and (3) increased by a total of \$2 billion over 10 years. States would have more funds, more flexibility, and greater incentives to serve families and prevent children's removal to foster care.

The Child SAFE Act also provides increased funding to Indian tribes for child protection programs. It expands funding and services for children placed with relatives. The legislation requires an assessment of children entering foster care—many of whom have deep physical and emotional scars—to determine what services they might need. States that excel in protecting children would receive a share of \$400 million in new performance funds. And the legislation is fully offset by provisions previously passed in the House welfare reform bill (H.R. 4).

I thank my colleagues, Mrs. JOHNSON, Mr. DELAY, Mr. LEWIS, Mr. CAMP, and Mr. CANTOR for joining me in introducing this important legislation. This legislation will improve our Nation's child protection programs so that children are safe and in loving families. I invite all Members to support it.

IN HONOR OF JOHN A. COLEMAN

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mrs. TAUSCHER. Mr. Speaker, it is with great pride and pleasure that I rise today to recognize the achievements and activities of John A. Coleman. Mr. Coleman currently is serving as the President of the California Association of Sanitation Agencies otherwise known as CASA. CASA is a statewide association of wastewater treatment agencies that is responsible for ensuring the protection and improvement of California's water quality for more than 22 million Californians and their related businesses and our state's natural resources. He was elected CASA President after serving as a member of this association since 1990. It is also noteworthy that he assumed this leadership role after he was elected to the Board of Directors of the East Bay Municipal Utility District that provides water quality and water supply services to many of my constituents of the 10th Congressional District.

Mr. Coleman was the first CASA President to serve a two-year term of office, having been unanimously elected by the General Council of the California Association of Sanitation Agencies on August 9, 2002 and re-elected August 15, 2003. He will conclude his term as the 46th President on August 7, 2004.

Mr. Coleman's performance on behalf of CASA has been one of strong leadership. He has provided important guidance on complex legislative and regulatory issues affecting the management of local public wastewater agencies as these agencies strive to comply with the myriad of federal requirements. On many an occasion I have had the opportunity to review a number of these matters with Mr. Coleman in his capacity as President of CASA and as a member of the East Bay Municipal Utility District Board of Directors.

In each of these roles, Mr. Coleman displayed the highest level of integrity establishing a threshold of performance that served CASA well. He used his position at CASA both as President and a Member of the Executive Board to encourage all CASA members to maintain the highest level of professional performance in the course of conducting the public's business.

Of special note, during Mr. Coleman's tenure as CASA President, he launched a state wide program to promote the beneficial use of biosolids to improve the quality of our lands and minimize the inappropriate disposal of a useful byproduct of water quality programs. This program has generated a better understanding on the part of the public on how we can be better stewards of our local communities and their natural resources.

Most recently, Mr. Coleman oversaw the first CASA Federal Legislative Outreach Seminar, bringing to Washington 40 public officials to meet with their congressional delegations and U.S. Environmental Protection Agency officials. This effort typified Mr. Coleman's commitment to working to enhance the CASA members' understanding of the policymaking process and to promote increased public participation in the legislative and regulatory processes. Through this activity, he has elevated and solidified CASA's leading role as one of the most effective, respected, and influential

California public association dedicated to wastewater and water quality improvements.

As Mr. Coleman prepares to complete his term as CASA President, I want to take note of these accomplishments and to commend him for his tireless commitment to improve the water quality of California's lakes, rivers, streams and coastal waters. His commitment and leadership at CASA means that valuable recreational, economic and social activities that today's Californians enjoy will be available for California's future generations. I congratulate him on his many achievements.

HONORING THE ARMY RESERVE 367TH MOBILE PUBLIC AFFAIRS DETACHMENT UNIT FOR ITS SERVICE TO OUR COUNTRY DURING OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. TIBERI. Mr. Speaker, I rise today to honor the Army Reserve 367th Mobile Public Affairs Detachment Unit for their participation in Operation Enduring Freedom and Operation Iraqi Freedom. I commemorate the service of the 367th members from the 12th Congressional District, which I am proud to represent, and all who served in the unit. For fourteen months members of the unit worked to provide news and information to media sources from around the world. Additionally, due to the work of the 367th, soldiers from my district were able to send messages to loved ones by way of "video post cards home" broadcast on local television. This service provided my constituents and many other Americans the opportunity to watch our troops in action. Today, we thank its members for the sacrifices they made to serve our country.

Mr. Speaker, I would like to share one example of the 367th's exemplary service to our Nation. The unit was in Tikrit, Iraq when it was informed of the capture of Saddam Hussein. Its members immediately realized the support that would be needed to accommodate the over 600 journalists who traveled to Iraq to cover the event. The 367th took action and coordinated an effort to provide transportation, lodging, food and even internet access. Because of the 367th's hard work, journalists from around the world were able to provide coverage of the historic event.

On March 3, 2004 the 367th returned home after a job well done. Once again, I thank the members of the Army Reserve 367th Mobile Public Affairs Detachment Unit for their service to our country.

NATIONAL BLACK DATA PROCESSING ASSOCIATES

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. BURGESS. Mr. Speaker, I rise today to recognize the National Black Data Processing Associates (NBDPA). In honor of their upcoming 26th National Conference, I would like to

commend NBDPA for their commitment to delivering Information Technology (IT) excellence to their members, partners and communities.

BDPA was founded in 1975 in Philadelphia, Pennsylvania. Today, it has grown to include over 45 chapters across the United States. The mission of BDPA is to build and strengthen its stakeholder proficiency and effective application of IT, to affect a just level of member participation at all levels of the IT industry's employment and business opportunities, and to become a powerful voice in the IT industry that represents the interests of their members and communities.

The 3,000 members of BDPA include IT professionals, entrepreneurs, consultants, executives, educators and students. This wide base of members represents associates from across our nation as well as growing membership in Canada, England, France and Ghana.

BDPA is involved in a variety of programs to attain their vision, mission and objectives. These programs include student internship and mentoring programs, an education and technology foundation, a career center, as well as interest groups that promote the perspectives of the IT industry.

As BDPA celebrates its 26th National Annual Conference this year, I would like to commend this organization for their role in supporting the Information Technology industry and its employees. As technology continues to advance, their role will only grow. We are proud of your achievements, and we wish you the best in the future.

GOVERNOR ROBERT SMYLIE

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. OTTER. Mr. Speaker, I rise today to recognize the extraordinary life and peerless achievements of Robert Smylie, the only governor in Idaho history to serve three consecutive full terms. He died Saturday at the age of 89.

Please join me in extending the sympathies of the House of Representatives to Governor Smylie's wife Lucille and their entire family.

Bob Smylie was an Iowa native educated at my alma mater, the College of Idaho in Caldwell, and then at the George Washington University law school here in the nation's capital, where he attended classes while working as a member of the Capitol Police Force.

For 8 years as Idaho's attorney general and 12 years as governor, Bob Smylie proved time and again that he was a man of talent, vision and courage. He saw the modern challenges facing state government and understood intuitively that they required bold actions. As is the case with many people of intellect and audacity, his genius was not fully appreciated in his lifetime.

Governor Smylie was a pillar of fiscal responsibility. Yet he was far ahead of his time in recognizing that demands for government services would increase geometrically within his lifetime, that education and transportation are investments no state can afford to shortchange, and that the public's business is worthy of our best efforts and brightest minds.

Most of all, Governor Smylie was a tough and committed public servant who accepted

nothing less from his colleagues and contemporaries. His example is one of uncompromising devotion to the good of Idaho, America, and our people.

Mr. Speaker, we have lost an American original, a man whose influence and example will live on for years to come. He set the stage for the growth and progress that mark Idaho today. My state mourns his passing, but we all are better for having had Robert Smylie in our lives.

TRIBUTE TO WILLIAM J. PASTUSZEK, DISTINGUISHED BUSINESS LEADER WITH A LEGACY OF CIVIC AND HUMANITARIAN EFFORTS

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. WELDON of Pennsylvania. Mr. Speaker, on July 14th my good friend Bill Pastuszek passed away and Pennsylvania lost one of its most distinguished business and community leaders.

Born in Chester, Pennsylvania, he graduated from Juniata College with a B.A. and attended classes at Elizabethtown College, Pennsylvania Military College, and University of Pennsylvania Law School. After graduation from Pennsylvania Military Prep School and service in the Army during World War II, he held a teaching certificate in secondary education and briefly taught at Chester High School and Smedley Junior High School.

Mr. Pastuszek's leadership qualities were in evidence early in his professional life. At the age of 26, Mr. Pastuszek became one of the youngest members of the Board of Directors of Chester School District, where he served as director, vice president and president from 1954 to 1963. A prominent leader in communities throughout Delaware County, Pennsylvania and in the Ukrainian American community in the United States, he established his real estate office in Chester in 1947 and later relocated to Swarthmore in 1963.

During his 57 years in the Delaware County, Pennsylvania real estate industry, Mr. Pastuszek became an institution in the county. He developed more than 1,000 commercial, industrial, self-storage garages, apartments and residential units in Maryland, New Jersey, and Pennsylvania. In 1985, the Delaware County Council presented Mr. Pastuszek with the Distinguished Business Achievement Award for his contributions to the overall economic vitality of Delaware County. In 1991, he was awarded the Distinguished Community Achievement Award by the Lower Chichester Township Board of Commissioners. Mr. Pastuszek's subsequent contributions to improve housing were recognized by the municipalities of Marcus Hook, Chester, Trainer, Swarthmore, Morton and Lower Chichester.

Mr. Pastuszek's work over the years and tireless dedication to the character and charm of the properties under his care improved the quality of life in our community. Life is a series of crossroads and how appropriate it was that the Lower Chichester Township Board of Commissioners resolved in 2000 to change the name of Ormond Street to Pastuszek Boulevard, while the Township of Chester re-

named West 10th Street as Pastuszek Court. Bill Pastuszek was a developer not just of property but of people and of communities. I can't think of anyone more deserving of such recognition.

Mr. Speaker, Bill Pastuszek was someone who made a difference and dreamed the American Dream, and he truly represented what this country is all about. I wish Bill's wife of 56 years, Theodozia Kiziuk Pastuszek and family, my heartfelt condolences and may they find comfort in knowing that the many people he impacted deeply value his dedication and generosity and the example of his life and work.

HONORING HARRY WIGGINS

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise to honor my dear friend and former colleague, State Senator Harry Wiggins. Harry is the quintessential gentleman and a distinguished statesman. He dedicated his life to the betterment of our community and state.

Kansas City is home for Harry. A devoted son to his mother and father, young Harry attended St. Elizabeth's Grade School and Lillis High School. He continues to support these local institutions that fostered his academic growth. He received his law degree from Saint Louis University and served his country in the Army from 1957 to 1959.

Harry was inspired to a life of public service, as I was, by Robert Kennedy. He fulfilled Bobby Kennedy's prophecy that "few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation." In 1961 Harry was appointed by Attorney General Robert Kennedy to serve as Assistant U.S. Attorney for the Western District of Missouri.

In 1970, Harry was elected Western Judge of Jackson County, joining Presiding Judge George W. Lehr and Eastern Judge Joe Bolger in bringing growth and prosperity to Jackson County, and following in the footsteps of Harry S. Truman who had earlier served as Eastern Judge. The dynamic combination of Lehr, Bolger, and Wiggins catapulted Kansas City into a major sports city with the creation of the Truman Sports Complex. Judge Wiggins traveled to New York's financial bond market to ensure funding for the innovative complex.

Known for his tenacity and persistence as a crusader, Harry was elected to the Missouri State Senate for the Tenth District in 1974 and served with distinction for 28 years. From 1980 to 1984 he served as Majority Floor Leader. I fondly remember the eighteen years in which I worked with Senator Wiggins on numerous bills for our community and state when I joined my friend in Jefferson City as a State Representative in 1976. For 12 years we partnered on landmark fiscal policy as we each chaired the Ways and Means Committees of our respective chambers.

Harry's civic and charitable awards include: the 2001 Charles Evans Whittaker Award for outstanding lawyer of Kansas City; 2001 Outstanding Advocacy for Children Award from

the Associated PTA's of Missouri; and the 2002 Tiger Roar Award from University of Missouri Alumni Association. In 2000, the Mr. Baseball in Kansas City Award was presented to Senator Harry Wiggins by the Kansas City Royals for furthering the cause of professional baseball in Kansas City. From his initial role in securing funding to build the stadium as a Jackson County Judge, to obtaining a 25 year lease that insured the Royals remain in Kansas City as a Senator, the Royals knew they could count on Harry. The Senator proudly wore his Royals hat, enjoyed spring training with the team, and was truly Mr. K.C. Baseball.

When you look into Harry's blue eyes you see compassion, respect and commitment. He served until term limits forced his retirement from the Senate, and in 2002 joined the prestigious law firm of Blackwell, Sanders, Peper and Martin.

Mr. Speaker, Harry Wiggins is a man who has selflessly served, and who has left his mark on the lives of Kansas Citizens and all Missourians. Thank you, Harry, for making our community and state a better place. Mr. Speaker, please join me in saluting this unique public servant.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 20, 2004 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 21

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of Vice Admiral Timothy J. Keating, USN, for appointment to the grade of admiral and to be Commander, United States Northern Command/Commander, North American Aerospace Defense Command; Lieutenant General Bantz J. Craddock, USA, for appointment to the grade of general and to be Commander, United States Southern Command; Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense for International Security Policy, and Valerie Lynn Baldwin, of Kansas, to be an Assistant Secretary of the Army.

SR-222

Foreign Relations

To hold hearings to examine combating multilateral development bank corrup-

tion, focusing on the U.S. Treasury's role and internal efforts.

SD-419

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine regulation NMS and developments in market structure.

SD-538

Finance

To hold hearings to examine bridging the tax gap.

SD-215

Governmental Affairs

Business meeting to consider pending calendar business.

SD-342

Indian Affairs

Business meeting to consider pending calendar business; to be followed by a hearing to examine S. 519, to establish a Native American-owned financial entity to provide financial services to Indian tribes, Native American organizations, and Native Americans.

SR-485

Judiciary

To hold an oversight hearing to examine the Radiation Exposure Compensation Program.

SD-226

11 a.m.

Commission on Security and Cooperation in Europe

To receive a briefing on the current state of religious freedom in the Caucasus due to recent events in Azerbaijan, Armenia and Georgia.

340 CHOB

2 p.m.

Indian Affairs

To hold an oversight hearing to examine the proposed reauthorization of the Indian Health Care Improvement Act.

SR-485

Armed Services

Personnel Subcommittee

Health, Education, Labor, and Pensions

Children and Families Subcommittee

With the Committee on Health, Education, Labor, and Pensions, Subcommittee on Children and Families, to hold joint hearings to examine how states have responded to military families' unique challenges during military deployments and what the Federal Government can do to support states in this important work.

SD-430

2:30 p.m.

Banking, Housing, and Urban Affairs

International Trade and Finance Subcommittee

To hold hearings to examine Islamic banking.

SD-538

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 738, to designate certain public lands in Humboldt, Del Norte, Mendocino, Lake, Napa, and Yolo Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, S. 1614, to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System, S. 2221, to authorize the Secretary of Agriculture to sell or exchange certain National Forest System land in the State of Oregon, S. 2253, to permit young adults to perform projects to prevent fire and suppress fires, and provide disaster relief, on public land through a Healthy Forest Youth Conservation Corps, S. 2334, to designate certain National For-

est System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, S. 2408, to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana, and S. 2622, to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico.

SD-366

JULY 22

9 a.m.

Governmental Affairs

Investigations Subcommittee

To resume hearings to examine the extent to which consumers can purchase pharmaceuticals over the Internet without a medical prescription, the importation of pharmaceuticals into the United States, and whether the pharmaceuticals from foreign sources are counterfeit, expired, unsafe, or illegitimate, focusing on the extent to which U.S. consumers can purchase dangerous and often addictive controlled substances from Internet pharmacy websites and the procedures utilized by the Bureau of Customs and Border Protection, the Drug Enforcement Administration, the United States Postal Service, and the Food and Drug Administration, as well as the private sector to address these issues.

SD-342

9:30 a.m.

Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SR-253

Foreign Relations

To hold hearings to examine the current situation in Iraq post-transition.

SD-419

Judiciary

Business meeting to consider pending calendar business.

SD-226

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings to examine activities and funding issues of the Appalachian Council and Working for America Institute.

SD-192

10 a.m.

Banking, Housing, and Urban Affairs

To continue hearings to examine regulation NMS and developments in market structure.

SD-538

Finance

To hold hearings to examine the role of higher education financing in strengthening U.S. competitiveness in a global economy.

SD-215

Health, Education, Labor, and Pensions

To hold hearings to examine preparations for possible future terrorist attacks.

SD-430

Joint Economic Committee

To hold hearings to examine the demographics of health care, focusing on evidence regarding declining rates of chronic disability and assess the best opportunities for further health promotion.

SD-628

2 p.m.

Judiciary

To hold hearings to examine S. 2560, to amend chapter 5 of title 17, United

States Code, relating to inducement of copyright infringement.

SD-226

2:30 p.m.

Energy and Natural Resources
National Parks Subcommittee

To hold an oversight hearing to examine the implementation of the National Parks Air Tour Management Act of 2000 (Public Law 106-181).

SD-366

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee

To hold hearings to examine space exploration of Saturn.

SR-253

Intelligence

To hold hearings to examine intelligence reform.

SH-216

3:30 p.m.

Governmental Affairs

To hold hearings to examine the nomination of Allen Weinstein, of Maryland, to be Archivist of the United States.

SD-342

SEPTEMBER 21

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the American Legion.

345 CHOB

CANCELLATIONS

JULY 21

9:30 a.m.

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

POSTPONEMENTS

9:30 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider proposed legislation authorizing funds for programs of the Vocational Education Act, S. 2158, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation, S. 2283, to extend Federal funding for op-

eration of State high risk health insurance pools, S. 2493, to amend the Federal Food, Drug, and Cosmetic Act to protect the public health from the unsafe importation of prescription drugs and from counterfeit prescription drugs, H.R. 3908, to provide for the conveyance of the real property located at 1081 West Main Street in Ravenna, Ohio, S. Res. 389, expressing the sense of the Senate with respect to prostate cancer information, S. Con. Res. 119, recognizing that prevention of suicide is a compelling national priority, and certain pending nominations.

SD-430

10 a.m.

Judiciary

To hold hearings to examine the nomination of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit.

SD-226

JULY 22

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings to examine media ownership.

SR-253